

ESTTA Tracking number: **ESTTA444628**

Filing date: **12/05/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following parties oppose registration of the indicated application.

### Opposers Information

Name	Mylan Inc.
Granted to Date of previous extension	12/04/2011
Address	1500 Corporate Drive Canonsburg, PA 15317 UNITED STATES

Name	Mylan Pharmaceuticals, Inc.
Granted to Date of previous extension	12/04/2011
Address	P.O. Box 4310 Morgantown, WV 26505 UNITED STATES

Attorney information	Rebecca Finkenbinder McNees Wallace & Nurick 100 Pine Street Harrisburg, PA 17108 UNITED STATES trademarks@mwn.com, rfinkenbinder@mwn.com, bgregg@mwn.com Phone: 717-232-8000
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### Applicant Information

Application No	85227501	Publication date	06/07/2011
Opposition Filing Date	12/05/2011	Opposition Period Ends	12/04/2011
Applicant	Vintage Pharmaceuticals, LLC 100 Endo Blvd. c/o Endo Pharmaceuticals Inc. Chadds Ford, PA 19317 UNITED STATES		

### Goods/Services Affected by Opposition

Class 005.

All goods and services in the class are opposed, namely: Pharmaceutical preparation for an oral contraceptive

### Applicant Information

Application No	85227563	Publication date	06/07/2011
Opposition Filing	12/05/2011	Opposition	

Date		Period Ends	
Applicant	Vintage Pharmaceuticals, LLC 100 Endo Blvd. c/o Endo Pharmaceuticals Inc. Chadds Ford, PA 19317 UNITED STATES		


## Goods/Services Affected by Opposition

Class 005. All goods and services in the class are opposed, namely: Pharmaceutical preparation for an oral contraceptive
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## Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

## Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	1726950	Application Date	05/06/1991
Registration Date	10/27/1992	Foreign Priority Date	NONE
Word Mark	MYLAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1973/10/00 First Use In Commerce: 1973/10/00 pharmaceutical preparations for use in the treatment of allergic conditions, cardiovascular diseases, diabetic states, diarrhea management, infectious diseases, inflammatory conditions, metabolic disorders, muscle spasms, pain conditions, psychiatric disorders, and pulmonary obstructions		


U.S. Registration No.	3343114	Application Date	03/06/2007
Registration Date	11/27/2007	Foreign Priority Date	NONE
Word Mark	MYLAN		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 1973/10/00 First Use In Commerce: 1973/10/00 Pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans


U.S. Application No.	77866562	Application Date	11/06/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYLAN ONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives; Pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans		


U.S. Application No.	77874344	Application Date	11/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYLISS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

U.S. Application No.	77875115	Application Date	11/18/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYPRIELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	77877753	Application Date	11/20/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYTESA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

U.S. Application No.	77877748	Application Date	11/20/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYTESSA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85087782	Application Date	07/19/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYLAN INSTITUTIONAL		

Design Mark	<b>MYLAN INSTITUTIONAL</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: Analgesics; general anesthetics; inhalant anesthetics; local anesthetics; anesthetics for surgical and non-surgical use; antibiotics; antihistamines; anti-infective agents; anti-inflammatory agents; contraceptives; neuromuscular reversal agents; muscle relaxants; pain relievers; pharmaceutical preparations for the treatment of cancer, hyperuricemia, cardiovascular diseases and disorders, dermatological diseases and disorders, urological diseases and disorders, gastrointestinal conditions, neurological conditions, respiratory conditions, psychiatric conditions, allergic conditions, metabolic conditions; wound dressings; vitamins

U.S. Application No.	85307996	Application Date	04/29/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYLA		
Design Mark	<b>MYLA</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85366532	Application Date	07/08/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYTERNATIVE		

Design Mark	<b>MYTERNATIVE</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

U.S. Application No.	85382177	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYVOICE		
Design Mark	<b>MYVOICE</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85382174	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYTAKE		

Design Mark	<b>MYTAKE</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

U.S. Application No.	85382171	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYSURANCE		
Design Mark	<b>MYSURANCE</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85382140	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MY PREFERENCE		



Design Mark	<b>MY PREFERENCE</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives


U.S. Application No.	85382137	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MY DIRECTION		
Design Mark	<b>MY DIRECTION</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85382131	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYCOURSE		

Design Mark	<b>MYCOURSE</b>
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

U.S. Application No.	85388272	Application Date	08/03/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYMRELLE		
Design Mark	<b>MYMRELLE</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Oral contraceptives		

U.S. Application No.	85382128	Application Date	07/27/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MYALTERNA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: Oral contraceptives

Attachments	74164120#TMSN.gif ( 1 page )( bytes ) 77123188#TMSN.jpeg ( 1 page )( bytes ) 77866562#TMSN.jpeg ( 1 page )( bytes ) 77874344#TMSN.jpeg ( 1 page )( bytes ) 77875115#TMSN.jpeg ( 1 page )( bytes ) 77877753#TMSN.jpeg ( 1 page )( bytes ) 77877748#TMSN.jpeg ( 1 page )( bytes ) 85087782#TMSN.jpeg ( 1 page )( bytes ) 85307996#TMSN.jpeg ( 1 page )( bytes ) 85366532#TMSN.jpeg ( 1 page )( bytes ) 85382177#TMSN.jpeg ( 1 page )( bytes ) 85382174#TMSN.jpeg ( 1 page )( bytes ) 85382171#TMSN.jpeg ( 1 page )( bytes ) 85382140#TMSN.jpeg ( 1 page )( bytes ) 85382137#TMSN.jpeg ( 1 page )( bytes ) 85382131#TMSN.jpeg ( 1 page )( bytes ) 85388272#TMSN.jpeg ( 1 page )( bytes ) 85382128#TMSN.jpeg ( 1 page )( bytes ) A2684990.PDF ( 23 pages )(677930 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Rebecca Finkenbinder/
Name	Rebecca Finkenbinder
Date	12/05/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of  
Vintage Pharmaceuticals, LLC

Serial Nos.	:	85/227,501 and 85/227,563
Marks	:	MYZILRA and MY OPTION
Goods	:	International Class 05
Filing Date	:	January 27, 2011
Published	:	Official Gazette June 7, 2011

MYLAN, INC.	:	
MYLAN PHARMACEUTICALS, INC.,	:	
Opposers,	:	
	:	
v.	:	Opposition No.
	:	
VINTAGE PHARMACEUTICALS, LLC,	:	Filed Electronically
Applicant.	:	

**CONSOLIDATED NOTICE OF OPPOSITION**

1. Mylan, Inc., a corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania and having a principal place of business at 1500 Corporate Drive, Suite 400, Canonsburg, Pennsylvania 15317, and Mylan Pharmaceuticals, Inc. a corporation duly organized and existing under the laws of the State of West Virginia and having a principal place of business at P.O. Box 4310, Morgantown, West Virginia 26505, (Mylan, Inc. and Mylan, Pharmaceuticals, Inc. collectively hereinafter referred to as "Mylan")

believe and allege that they will be damaged by registration of the marks shown in Serial Nos. 85/227,501 and 85/227,563 and hereby oppose the same.

As grounds for opposition, Mylan alleges that:

2. On January 27, 2011, Vintage Pharmaceuticals, LLC ("Vintage"), a Delaware limited liability company with a principal business location at 100 Endo Boulevard, c/o Endo Pharmaceuticals Inc., Chadds Ford, Pennsylvania 19317, filed two intent-to-use applications, Serial Nos. 85/227,501 and 85/227,563, to register the marks MYZILRA and MY OPTION for use in connection with "pharmaceutical preparation for an oral contraceptive" in International Class 05 (the "Applications").

3. Mylan is the owner of the following U.S. trademark registrations, see Exhibits A and B for TESS and TARR printouts, and applications (collectively, the marks in such registrations and applications are referred to hereinafter as the "MY Marks"):

<b>Trademark</b>	<b>Serial or Reg. No.</b>	<b>Filing or Registration Date</b>	<b>International Class/Goods</b>
MYLAN and Design	1,726,950	October 27, 1992	05 – pharmaceutical preparations for use in the treatment of allergic conditions, cardiovascular diseases, diabetic states, diarrhea management, infectious diseases, inflammatory conditions, metabolic disorders, muscle spasms, pain conditions, psychiatric disorders, and pulmonary obstructions
MYLAN	3,343,114	November 27, 2007	05 – pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans
MYLAN ONE	77/866,562	November 6, 2009	05 – oral contraceptives; pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans
MYLISS	77/874,344	November 17, 2009	05 – oral contraceptives
MYPRIELLE	77/875,115	November 18, 2009	05 – oral contraceptives
MYTESA	77/877,753	November 20, 2009	05 – oral contraceptives

<b>Trademark</b>	<b>Serial or Reg. No.</b>	<b>Filing or Registration Date</b>	<b>International Class/Goods</b>
MYTESSA	77/877,748	November 20, 2009	05 – oral contraceptives
MYLAN INSTITUTIONAL	85/087,782	July 19, 2010	05 – oral contraceptives
MYLA	85/307,996	April 29, 2011	05 – oral contraceptives
MYTERNATIVE	85/366,532	July 8, 2011	05 – oral contraceptives
MYVOICE	85/382,177	July 27, 2011	05 – oral contraceptives
MYTAKE	85/382,174	July 27, 2011	05 – oral contraceptives
MYSURANCE	85/382,171	July 27, 2011	05 – oral contraceptives
MY PREFERENCE	85/382,140	July 27, 2011	05 – oral contraceptives
MY DIRECTION	85/382,137	July 27, 2011	05 – oral contraceptives
MY COURSE	85/382,131	July 27, 2011	05 – oral contraceptives
MYALTERNA	85/382,128	July 27, 2011	05 – oral contraceptives
MYMRELLE	85/388,272	August 3, 2011	05 – oral contraceptives

4. MYLAN Registration No. 1,726,950 is incontestable as a matter of law under 15 U.S.C. §1065.

5. Since at least as early as 1973, Mylan, through it and its predecessors, has been, and is now, using the MYLAN mark throughout the United States in connection with pharmaceuticals.

6. Mylan's use of the MYLAN mark has been valid and continuous since its date of first use.

7. Since the first use of the MYLAN mark, Mylan has continuously expanded the MYLAN product line to include additional pharmaceutical products sold under the MYLAN brand.

8. As early as 2009, Mylan began its business plans to use the MYLAN mark and/or other marks that begin with "MY" in connection with oral contraceptives.

9. Beginning in 2009 and as recent as August 3, 2011, Mylan filed intent-to-use applications for various "MY" marks for use with oral contraceptives.

10. Mylan intends to continue expanding and increasing the number of pharmaceutical products, including oral contraceptives, offered and sold under its "My" family of marks.

11. The MYLAN mark is symbolic of extensive goodwill and consumer recognition established by Mylan, has acquired a high degree of recognition and fame through continued use and expenditures of time, effort and money in advertising and promotion, and serves as a unique identifier of the goods offered by Mylan.

12. Upon information and belief, Mylan's use of the MYLAN mark predates Vintage's use-in-commerce date for the MYZILRA and MY OPTION marks, as such marks have not yet been used.

13. Mylan's use of the MYLAN mark predates Vintage's filing date of the Applications.

14. The MYLAN mark was well established and famous long before the filing date of the Applications.

15. Vintage's MYZILRA and MY OPTION marks are confusingly similar to the MYLAN mark and Mylan's pending "MY" family of marks.

16. Vintage's pharmaceutical preparations for an oral contraceptive are related to Mylan's pharmaceuticals.

17. Upon information and belief, Vintage's goods with which it claims it intends to use the MYZILRA and MY OPTION marks, as claimed in the Applications, and the products with which Mylan uses its MYLAN mark and intends to use its MY Marks are or will be offered for sale and sold in the same channels of trade and offered and sold to the same customers.

**COUNT I**  
**LIKELIHOOD OF CONFUSION**

18. Mylan hereby incorporates by reference and realleges each and every allegation set forth in Paragraphs 1 through 17.

19. The application filing dates for, and the dates of first use used with the MYLAN marks in MYLAN Registration Nos. 1,726,950 and 3,343,114 are prior to the date of filing of Vintage's Applications.

20. MYLAN Registration No. 1,726,950 is valid and subsisting and is *prima facie* evidence of Mylan's exclusive right to use the MYLAN mark in commerce on the goods specified in such registration.

21. In view of the similarity of the respective marks, similarity of the channels of trade and the related nature of the goods offered for sale by the respective parties, Vintage's MYZILRA and MY OPTION marks so resemble Mylan's MYLAN mark, previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive as to source by suggesting that Vintage's goods are associated with or approved, endorsed, affiliated, authorized or sponsored by Mylan.

22. Mylan is, or will be, damaged by the registration of Vintage's MYZILRA and MY OPTION marks, since, by virtue of such registration, (1) Vintage's use of the marks is likely to cause confusion, to cause mistake or to deceive the consuming public as to the source, sponsorship or affiliation of Vintage's goods; (2) Vintage's use of the marks will dilute the strength and distinctive quality of the MYLAN mark, and Mylan's rights therein; and (3) doubt would be raised as to the exclusive right of Mylan to use the MYLAN mark.

**COUNT II**  
**DILUTION BY BLURRING**

23. Mylan hereby incorporates by reference and realleges each and every allegation set forth in Paragraphs 1 through 22.



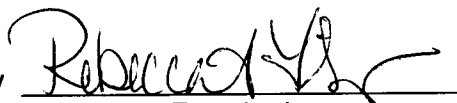
24. The MYLAN mark is distinctive and famous within the meaning of 15 U.S.C. §1125(c), and was distinctive and famous prior to the filing date of the Applications.

25. Vintage's intended use is likely to dilute the distinctiveness of the famous MYLAN mark by blurring its considerable power to identify and distinguish products marketed and sold by Mylan featuring such mark, and by impeding Mylan's ability to sell products featuring the MYLAN mark.

26. Mylan is or will be damaged by the registration of Vintage's MYZILRA and MY OPTION mark, since, by virtue of such registration, (1) Vintage's use of the marks will dilute the strength and distinctive quality of the MYLAN mark and Mylan's rights therein; and (2) doubt would be raised as to the exclusive right of Mylan to use the MYLAN mark.

**WHEREFORE**, Opposers Mylan, Inc. and Mylan Pharmaceuticals, Inc. respectfully request that this consolidated opposition be sustained against the Applications, and that the U.S. Patent & Trademark Office refuse to register Applicant's MYZILRA and MY OPTION marks.

McNEES WALLACE & NURICK LLC

By   
Harvey Freedenberg  
Rebecca A. Finkenbinder  
100 Pine Street  
P. O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 232-8000

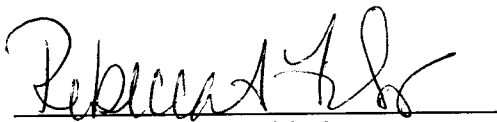
Attorneys for Opposers Mylan, Inc. and  
Mylan Pharmaceuticals, Inc.

Dated: December 5, 2011

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the  
**Consolidated Notice of Opposition** was mailed via First Class Mail, postage prepaid, to:

James R. Meyer, Esquire  
Schnader Harrison Segal & Lewis LLP  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103-7286

A handwritten signature in black ink, appearing to read 'Rebecca A. Finkenbinder', written over a horizontal line.

Rebecca A. Finkenbinder  
Of Counsel for Opposers Mylan, Inc. and  
Mylan Pharmaceuticals, Inc.

Dated: December 5, 2011

EXHIBIT A



United States Patent and Trademark Office

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[PREV DOC](#)
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[TDR](#)
[TTAB Status](#)
 ( Use the "Back" button of the Internet Browser to return to TESS)



# MYLAN

<b>Word Mark</b>	MYLAN
<b>Goods and Services</b>	IC 005. US 018. G & S: pharmaceutical preparations for use in the treatment of allergic conditions, cardiovascular diseases, diabetic states, diarrhea management, infectious diseases, inflammatory conditions, metabolic disorders, muscle spasms, pain conditions, psychiatric disorders, and pulmonary obstructions. FIRST USE: 19731000. FIRST USE IN COMMERCE: 19731000
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	19.13.02 - Test tubes 26.09.01 - Squares as carriers or squares as single or multiple line borders
<b>Serial Number</b>	74164120
<b>Filing Date</b>	May 6, 1991
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	August 4, 1992
<b>Registration Number</b>	1726950
<b>Registration Date</b>	October 27, 1992
<b>Owner</b>	(REGISTRANT) Mylan Pharmaceuticals Inc. CORPORATION WEST VIRGINIA 781 Chestnut Ridge Road Morgantown WEST VIRGINIA 265052730

(LAST LISTED OWNER) MYLAN LABORATORIES, INC. CORPORATION PENNSYLVANIA 1500  
CORPORATE DRIVE SUITE 400 CANONSBURG PENNSYLVANIA 15317

**Assignment  
Recorded** ASSIGNMENT RECORDED  
**Description of  
Mark** The drawing is lined for the color blue.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030204.  
**Renewal** 1ST RENEWAL 20030204  
**Live/Dead  
Indicator** LIVE

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<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

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**Serial Number:** 74164120 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 1726950

**Mark**



**MYLAN**

**(words only):** MYLAN

**Standard Character claim:** No

**Current Status:** The registration has been renewed.

**Date of Status:** 2003-02-04

**Filing Date:** 1991-05-06

**Transformed into a National Application:** No

**Registration Date:** 1992-10-27

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 11

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2008-03-19

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. MYLAN LABORATORIES, INC.

**Address:**

MYLAN LABORATORIES, INC.  
1500 CORPORATE DRIVE SUITE 400

CANONSBURG, PA 15317

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Pennsylvania

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### GOODS AND/OR SERVICES

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**International Class:** 005

**Class Status:** Active

pharmaceutical preparations for use in the treatment of allergic conditions, cardiovascular diseases, diabetic states, diarrhea management, infectious diseases, inflammatory conditions, metabolic disorders, muscle spasms, pain conditions, psychiatric disorders, and pulmonary obstructions

**Basis:** 1(a)

**First Use Date:** 1973-10-00

**First Use in Commerce Date:** 1973-10-00

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### ADDITIONAL INFORMATION

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**Lining and Stippling:** The drawing is lined for the color blue.

**Design Search Code(s):**

**19.13.02** - Test tubes

**26.09.01** - Squares as carriers or squares as single or multiple line borders

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-10-01 - Notice Of Design Search Code And Pseudo Mark Mailed

2008-03-19 - Case File In TICSRS

2008-01-30 - Assignment Of Ownership Not Updated Automatically

2007-10-31 - Assignment Of Ownership Not Updated Automatically

2007-02-28 - Automatic Update Of Assignment Of Ownership

2003-02-04 - First renewal 10 year

2003-02-04 - Section 8 (10-year) accepted/ Section 9 granted

2002-10-21 - Combined Section 8 (10-year)/Section 9 filed

2002-10-21 - TEAS Section 8 & 9 Received  
1998-12-28 - Section 8 (6-year) accepted & Section 15 acknowledged  
1998-09-08 - Section 8 (6-year) and Section 15 Filed  
1992-10-27 - Registered - Principal Register  
1992-08-04 - Published for opposition  
1992-07-02 - Notice of publication  
1992-04-28 - Approved for Pub - Principal Register (Initial exam)  
1992-04-24 - Communication received from applicant  
1991-09-03 - Non-final action mailed  
1991-08-13 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Correspondent**

Mylan Pharmaceuticals Inc.  
781 Chestnut Ridge Road  
Morgantown, WV 26505-2730

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## Assignments on the Web &gt; Trademark Query

## Trademark Assignment Abstract of Title

## Total Assignments: 3

Serial #: 74164120

Filing Dt: 05/06/1991

Reg #: 1726950

Reg. Dt: 10/27/1992

Registrant: Mylan Pharmaceuticals Inc.

Mark: MYLAN

## Assignment: 1

Reel/Frame: 3486/0989

Received: 02/23/2007

Recorded: 02/23/2007

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: MYLAN PHARMACEUTICALS, INC.

Exec Dt: 02/20/2007

Entity Type: CORPORATION

Citizenship: WEST VIRGINIA

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Assignee: MYLAN LABORATORIES, INC.

1500 CORPORATE DRIVE

SUITE 400

CANONSBURG, PENNSYLVANIA 15317

Correspondent: SUE HEBERLIG

100 PINE STREET

HARRISBURG, PA 17108

## Assignment: 2

Reel/Frame: 3704/0514

Received: 01/25/2008

Recorded: 01/25/2008

Pages: 7

Conveyance: CHANGE OF NAME

Assignor: MYLAN LABORATORIES, INC.

Exec Dt: 09/28/2007

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Assignee: MYLAN, INC.

1500 CORPORATE DRIVE

SUITE 400

CANONSBURG, PENNSYLVANIA 15317

Correspondent: SUE HEBERLIG

100 PINE STREET

HARRISBURG, PA 17108

## Assignment: 3

Reel/Frame: 3646/0287

Received: 10/24/2007

Recorded: 10/24/2007

Pages: 16

Conveyance: TRADEMARK SECURITY AGREEMENT

Assignors: MYLAN LABORATORIES INC.

Exec Dt: 10/02/2007

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Exec Dt: 10/02/2007

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Exec Dt: 10/02/2007

Entity Type: CORPORATION

Citizenship: WEST VIRGINIA

Exec Dt: 10/02/2007

Entity Type: CORPORATION

DEY, L.P.MYLAN PHARMACEUTICALS, INC.MYLAN TECHNOLOGIES, INC.

UDL LABORATORIES, INC.

**Citizenship:** WEST VIRGINIA

**Exec Dt:** 10/02/2007

**Entity Type:** CORPORATION

**Citizenship:** ILLINOIS

**Exec Dt:** 10/02/2007

**Entity Type:** CORPORATION

**Citizenship:** TEXAS

**Entity Type:** NATIONAL ASSOCIATION

**Citizenship:** NONE

MYLAN BERTEK PHARMACEUTICALS INC.

**Assignee:** JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT  
10 SOUTH DEARBORN  
CHICAGO, ILLINOIS 60603

**Correspondent:** CORPORATION SERVICE COMPANY  
1133 AVENUE OF THE AMERICAS  
SUITE 3100  
NEW YORK, NY 10036

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Web interface last modified: July 25, 2011 v.2.2

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EXHIBIT B



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TARR Status	ASSIGN Status	TDR	TTAB Status
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# MYLAN

**Word Mark  
Goods and  
Services****MYLAN**

IC 005. US 006 018 044 046 051 052. G &amp; S: Pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans. FIRST USE: 19731000. FIRST USE IN COMMERCE: 19731000

**Standard  
Characters  
Claimed****Mark Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

77123188

**Filing Date**

March 6, 2007

**Current Filing  
Basis**

1A

**Original Filing  
Basis**

1A

**Published for  
Opposition**

September 11, 2007

**Registration  
Number**

3343114

**International  
Registration  
Number**

0951258

**Registration Date** November 27, 2007  
**Owner** (REGISTRANT) Mylan Laboratories, Inc. CORPORATION PENNSYLVANIA Suite 400 1500  
Corporate Drive Canonsburg PENNSYLVANIA 15317  
**Assignment  
Recorded** ASSIGNMENT RECORDED  
**Attorney of  
Record** Michael A. Doctrow  
**Prior  
Registrations** 2248902  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead  
Indicator** LIVE

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**Serial Number:** 77123188 Assignment Information      Trademark Document Retrieval

**Registration Number:** 3343114

**Mark**

MYLAN

**(words only):** MYLAN

**Standard Character claim:** Yes

**Current Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Date of Status:** 2007-11-27

**Filing Date:** 2007-03-06

**Filed as TEAS Plus Application:** Yes

**Currently TEAS Plus Application:** Yes

**Transformed into a National Application:** No

**Registration Date:** 2007-11-27

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 114

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2007-11-27

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Mylan Laboratories, Inc.

**Address:**

Mylan Laboratories, Inc.  
Suite 400 1500 Corporate Drive  
Canonsburg, PA 15317  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Pennsylvania

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**GOODS AND/OR SERVICES**

---

**International Class:** 005**Class Status:** Active

Pharmaceutical preparations for the treatment of cardiovascular, dermatological, gastrointestinal, neurological, respiratory, psychiatric, allergic, metabolic, muscular, infectious and inflammatory conditions in humans

**Basis:** 1(a)**First Use Date:** 1973-10-00**First Use in Commerce Date:** 1973-10-00

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**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

2248902

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**MADRID PROTOCOL INFORMATION**

---

**USPTO Reference Number:** A0010919**International Registration Number:** 0951258**International Registration Date:** 2008-01-07**Original Filing Date with USPTO:** 2008-01-07**International Registration Status:** Application For IR Registered By IB**Date of International Registration Status:** 2008-02-21**International Registration Renewal Date:** 2018-01-07**Irregularity Reply by Date:** (DATE NOT AVAILABLE)**Madrid History:**

03-05-2011 - 05:57:58 - Subsequent Designation Processed By IB  
02-03-2011 - 21:06:12 - Subsequent Designation Sent To IB  
02-03-2011 - 15:18:50 - Subsequent Designation Received  
04-30-2010 - 06:12:10 - Subsequent Designation Processed By IB  
03-22-2010 - 21:02:58 - Subsequent Designation Sent To IB  
03-22-2010 - 11:36:56 - Subsequent Designation Received  
12-04-2009 - 20:54:09 - Subsequent Designation Processed By IB  
09-15-2009 - 21:02:23 - Subsequent Designation Sent To IB  
09-15-2009 - 14:56:52 - Subsequent Designation Received  
01-29-2009 - 21:36:34 - Subsequent Designation Processed By IB  
12-11-2008 - 21:02:37 - Subsequent Designation Sent To IB

12-11-2008 - 10:21:48 - Subsequent Designation Received  
05-08-2008 - 21:53:45 - Subsequent Designation Processed By IB  
04-07-2008 - 21:01:41 - Subsequent Designation Sent To IB  
04-07-2008 - 16:01:46 - Subsequent Designation Received  
02-22-2008 - 17:13:17 - Application For IR Registered By IB  
01-07-2008 - 21:00:55 - IR Certified And Sent To IB  
01-07-2008 - 12:27:30 - Manually Certified  
01-07-2008 - 10:51:50 - New Application For IR Received

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### PROSECUTION HISTORY

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2008-01-30 - Assignment Of Ownership Not Updated Automatically  
2007-11-27 - Registered - Principal Register  
2007-10-31 - Assignment Of Ownership Not Updated Automatically  
2007-09-11 - Published for opposition  
2007-08-22 - Notice of publication  
2007-08-07 - Law Office Publication Review Completed  
2007-08-07 - Assigned To LIE  
2007-06-22 - Approved for Pub - Principal Register (Initial exam)  
2007-06-19 - Assigned To Examiner  
2007-03-09 - New Application Entered In Tram

---

### ATTORNEY/CORRESPONDENT INFORMATION

---

#### **Attorney of Record**

Michael A. Doctrow

#### **Correspondent**

MICHAEL A. DOCTROW  
MCNEES WALLACE & NURICK  
100 PINE ST  
HARRISBURG, PA 17101-1200  
Phone Number: 717-232-8000  
Fax Number: 717-237-5300

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## Trademark Assignment Abstract of Title

## Total Assignments: 2

Serial #: 77123188

Filing Dt: 03/06/2007

Reg #: 3343114

Reg. Dt: 11/27/2007

Registrant: Mylan Laboratories, Inc.

Mark: MYLAN

## Assignment: 1

Reel/Frame: 3704/0514

Received: 01/25/2008

Recorded: 01/25/2008

Pages: 7

Conveyance: CHANGE OF NAME

Assignor: MYLAN LABORATORIES, INC.

Exec Dt: 09/28/2007

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Entity Type: CORPORATION

Citizenship: PENNSYLVANIA

Assignee: MYLAN, INC.

1500 CORPORATE DRIVE

SUITE 400

CANONSBURG, PENNSYLVANIA 15317

Correspondent: SUE HEBERLIG

100 PINE STREET

HARRISBURG, PA 17108

## Assignment: 2

Reel/Frame: 3646/0287

Received: 10/24/2007

Recorded: 10/24/2007

Pages: 16

Conveyance: TRADEMARK SECURITY AGREEMENT

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Citizenship: DELAWARE

Exec Dt: 10/02/2007

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Citizenship: WEST VIRGINIA

Exec Dt: 10/02/2007

Entity Type: CORPORATION

Citizenship: ILLINOIS

Exec Dt: 10/02/2007

Entity Type: CORPORATION

Citizenship: TEXAS

Entity Type: NATIONAL ASSOCIATION

Citizenship: NONE

DEY, L.P.

MYLAN PHARMACEUTICALS, INC.MYLAN TECHNOLOGIES, INC.UDL LABORATORIES, INC.MYLAN BERTEK PHARMACEUTICALS INC.Assignee: JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT

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Correspondent: CORPORATION SERVICE COMPANY

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